

APR 26 2004



04-27-04

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CPA/1600  
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## CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL

Submit an original, and a duplicate for fee processing  
(Only for Continuation or Divisional applications under 37 CFR 1.53(d))

Check Box, if applicable:

☒ DUPLICATE

Address to: Mail Stop CPA  
Commissioner for Patents

P.O. Box 1450  
Alexandria, VA 22313-1450

Attorney Docket No.

J&J 2049

First Named Inventor

Kulkarni et al.

Express Mail Label No. EV 138490425 US

This is a request for a ☒ continuation or ☐ divisional application under 37 CFR 1.53(d), (continued prosecution application (CPA)) of prior application number 09/954,911, filed on September 18, 2001, entitled Physically Stable Sprayable Gel Composition.

### NOTES

**C-I-P NOT PERMITTED:** A continuation-in-part application cannot be filed as a CPA under 37 CFR 1.53(d), but must be filed under 37 CFR 1.53(b).

**EXPRESS ABANDONMENT OF PRIOR APPLICATION:** The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 CFR 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

**ACCESS TO PRIOR APPLICATION:** The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 CFR 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

**35 U.S.C. 120 STATEMENT:** In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 CFR 1.78(a).

1. ☐ Enter the unentered amendment previously filed on \_\_\_\_\_ under 37 CFR 1.116 (Amendment After Final Rejection) in the prior nonprovisional application.
2. ☒ A Preliminary Amendment is enclosed.
3. This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4).
  - a. ☐ DELETE the following inventor(s) named in the prior nonprovisional application:
  - b. ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4. ☐ A new Power of Attorney or authorization of agent (PTO/SB/81) is enclosed.
5. Information Disclosure Statement (IDS) is enclosed:
  - a. ☐ PTO-1449
  - b. ☐ Copies of IDS Citations

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CLAIMS	(1) For	(2) Number Filed	(3) Number Extra	(4) Rate	(5) Calculations
	Total Claims (37 CFR 1.16(c))	15 - 20 =	0	x\$ 18.00	\$ 0.00
	Independent Claims (37 CFR 1.16(b))	1 - 3 =	0	x\$ 84.00	\$ 0.00
	Multiple Dependent Claims (if applicable) (37 CFR 1.16(d))				x\$ 280.00
				Basic Fee (37 CFR 1.16(a))	\$ 750.00
	Total of above Calculations =				\$ 750.00
	Reduction by 50% for filing by small entity (Note 37 CFR 1.9, 1.27, 1.28)				
	TOTAL =				\$ 750.00

6. ☒ The commissioner is hereby authorized to credit overpayments or charge fees required by this paper to Deposit Account No. 10-0750.

7. ☐ A check in the amount of \$            is enclosed.

8. ☐ Other:

**NOTE:**      *The prior application's correspondence address will carry over to this CPA UNLESS a new correspondence address is provided below.*

**9. CORRESPONDENCE ADDRESS**

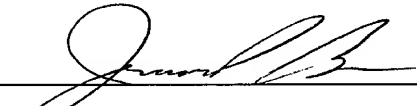
☒ Customer Number or Bar Code Label **000027777** or ☐ Correspondence Address below

Name:          Philip S. Johnson, Esq.  
Address:        Johnson & Johnson  
                    One Johnson & Johnson Plaza  
                    New Brunswick, NJ 08933-7003  
                    USA

**10. TELEPHONE CONTACT**

Please direct all telephone calls or telefaxes to James P. Barr at:  
Telephone:    (732) 524-2826      Fax:    (732) 524-2808

**11. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

NAME	James P. Barr	Registration Number: 32,882
SIGNATURE		
DATE	7/24/04	